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Supreme Court, U.S.
FILED
AUG 16 2002
OFFICE OF THE CLERK

No. 01-1859

IN THE

Supreme Court of the United States

RONALD P. WHITE,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE SUPREME COURT OF SOUTH CAROLINA

BRIEF AMICUS CURIAE OF ENID SCHILDKROUT CHAIR AND CURATOR, DIVISION OF ANTHROPOLOGY THE AMERICAN MUSEUM OF NATURAL HISTORY IN SUPPORT OF PETITIONER

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37pp

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INTEREST OF THE AMICUS[1]

Amicus Enid Schildkrout, Ph.D., is Chair and Curator of the Division of Anthropology, American Museum of Natural History New York, New York. She was Curator of the exhibition *Body Art: Marks of Identity* held at The America Museum of Natural History in New York City (November 1999 — June 2000) based on historical, anthropological, and art historical research done by many other scholars.

SUMMARY OF ARGUMENT

The United States Supreme Court has determined that the freedom of speech protections of the First Amendment extend to myriad forms of symbolic expression and not merely to expressions that convey a particularized message or political speech. Tattooing, a form of body decoration, constitutes symbolic and meaningful communication and constitutes an expressive art form. Like other forms of artistic expression, it has a long history in the United States and throughout the world and merits full First Amendment protection.

The human body has long been the subject of artistic expression. The body is not merely the subject of art but also a vehicle through which art is expressed. In dance it is virtually impossible to separate the art form from the vehicle of expression. Like other art forms, tattooing integrates the human body into the art as the medium of artistic expression. Tattoo art is a collaborative act requiring consent and

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1. Pursuant to Rule 37.6 the amicus states that no counsel for a party has authored the brief in whole or in part and no person or entity other than the amicus and/or counsel for the amicus made any monetary contribution to the preparation or submission of this brief. The parties have consented to the filing of this brief and letters of consent are being lodged herewith.

cooperation between the tattoo artist and the person whose body is being tattooed. Along with the tattoo artist, the recipient uses the tattoo to express his or her beliefs, ideas, and values or simply as a form of adornment.

Tattooing is an ancient art form. *See* Appendix A. Written accounts in Latin and stone sculptures found in Great Britain indicate that the ancient inhabitants of the British Isles, were covered with designs, most likely tattoos. Crusaders who visited Jerusalem in the Middle Ages often got tattooed with religious emblems that communicated to others their accomplishment in reaching the Holy Land. Tattoos also continued in Europe as marks of occupational identity: members of different guilds wore tattoos as a way of demonstrating their professions. Before people had proper names in Europe, tattoos were an important way of identifying people.

In the 19th century and for much of the early 20th century, tattooing in Western countries was an itinerant, marginal, self-taught practice and sailors, soldiers, and sideshow performers were the customers. Since the 1960's, artists with formal art training and an interest in the art of other cultures became interested in using the body as a medium for creating art. Tattooing is now widely accepted as a form of visual communication. The entry of tattooing itself into the artistic mainstream accelerated in the 1980's and 1990's and a wide variety of new styles are now available to an increasingly diverse and growing clientele. This includes women of all ages, athletes, fashion figures, musicians, firefighters and police, stockbrokers, lawyers, and academics. Recently, firefighters and police in New York have been getting memorial tattoos relating to the bombing of the World Trade Center affirming not only their loss but also their common identity as a community. Relatives of the deceased are among first time tattoo clients receiving memorial tattoos honoring particular victims of the attack.

In the past twenty-five years, major history, science, and art museums have put on exhibitions and associated lecture series and programs on the subject of tattoo. Tattooing, like music, painting, sculpture, drama, and dance, is part of expressive art and culture and embodies both the values and the aesthetic standards of particular societies. It is an expressive art that is as ancient as the human capacity to communicate through words and visual symbols and deserves full protection under the First Amendment.

ARGUMENT

I. TATTOOING IS A FORM OF ARTISTIC EXPRESSION ENTITLED TO FULL FIRST AMENDMENT PROTECTION

The human body has long been the subject of art in drawing, painting, and sculpture. The body, however, is not merely the subject of art but also a vehicle through which art is expressed. In dance it is virtually impossible to separate the art form from the vehicle of expression. Like other art forms, tattooing integrates the human body into the art, as the medium of artistic expression.

The First Amendment shields far more forms of expression than classic political speech. The Court has extended First Amendment protection to a wide array of art forms: entertainment, *Winters v. New York*, 333 U.S. 507, 510 (1948); film, *Joseph Burstyn, Inc. v. Wilson*, 343 U.S. 495, 501-02 (1952); theater, *Southeastern Promotions, Ltd. v. Conrad*, 420 U.S. 546, 557-58 (1975); music, without regard to words, *Ward v. Rock Against Racism*, 491 U.S. 781, 790 (1989); and parades, with or without banners or written messages, *Hurley v. Irish-American Gay, Lesbian & Bisexual Group of Boston*, 515 U.S. 557 (1995); pictures, films, painting, drawing and engraving, *Kaplan v. California*, 413 U.S. 115, 119 -120 (1973). "The Constitution," as the Court

has acknowledged, "looks beyond written or spoken words as mediums of expression." *Hurley*, 515 U.S. at 569. If the First Amendment reached only "expressions conveying a 'particularized message,'" its protection "would never reach the unquestionably shielded painting of Jackson Pollock, music of Arnold Schönberg, or Jabberwocky verse of Lewis Carroll." *Id.* at 569. In sum, the First Amendment's fundamental purpose is to protect peaceful expression in all of its innumerable forms.

II. TATTOOING HAS A LONG HISTORY AS A FORM OF ARTISTIC EXPRESSION.

The designs that people apply to their bodies, whether in tattoos or with body paint, are part of an aesthetic vocabulary that reflects the cultural values and artistic traditions of particular cultures. Modern tattooing in Europe and America is often associated with the eighteenth-century voyages of Captain Cook to the Pacific, and the subsequent practice of mariners returning home with tattoos celebrating their journeys. But tattooing long predates Cook's voyages. Accounts in Latin and stone sculptures found in Great Britain indicate that the ancient inhabitants of the British Isles, known as the Picts, (contemporaries of the Romans and described by them), were covered with designs, most likely tattoos. *See* Mark Gustafson, *The Tattoo in the Later Roman Empire and Beyond*, in *Written on the Body: The Tattoo in European and American History* 17 (J. Caplan ed. 2000).

Tattooing did not disappear in Western Europe after the Picts. Crusaders who visited Jerusalem in the Middle Ages often got tattooed with religious emblems that communicated to others their accomplishment in reaching the Holy Land. There were many symbols used in Jerusalem tattoos, but they included the Christian Cross, the Virgin Mary, and references to the crusaders' accomplishments in war. Tattoos also

continued in Europe as marks of occupational identity: Members of different guilds wore tattoos as a way of demonstrating their professions. Before people had proper names in Europe, tattoos were an important way of identifying people. *See* Jane Caplan, *National Tattooing: Traditions of Tattooing in Nineteenth Century Europe. Id.* at 156-173. During wars, famines and periods of pestilence, parents often permanently marked their babies so that they could identify them in case they were lost. Before widespread literacy, when written speech could be used to codify personal identity information, tattoos served this purpose.

In the past, and still in some cultures today, some forms of tattooing are considered sacred in that they serve as a source of spiritual protection and power. Until the Renaissance, virtually all European art was religious with images being used in churches and as altarpieces. Similarly today, some people in the United States, particularly in the Latino community, who have religious images tattooed on their backs see these images as protective: an image of the Virgin Mary or the Virgin of Guadalupe, or of Christ, is said to be able to protect the wearer. Tattoos like these can be considered as part of a long tradition of religious art, made not simply as decoration but as a source of comfort, power, and protection.

III. TATTOOING HAS EVOLVED FROM A SELF-TAUGHT CRAFT TO A FORMAL AND INDEPENDENT FORM OF ART.

Tattoo designs varied greatly in different parts of Europe and can be correlated with other kinds of decorative motifs found in these specific regions. *See id* at 156. Imagery included religious symbols, objects denoting occupations, Masonic designs, family crests, written words, Romantic symbols such as hearts and drawings depicting loved ones,

military symbols and weapons, and mortuary imagery. After the voyages of Captain Cook to the Pacific, Europeans were introduced to a very different style of tattooing. Cook's artists brought back drawings of various styles of tattooing from the Polynesian Islands. Subsequently several tattooed people came to Europe and displayed their tattoos. Sailors began to get tattoos on their voyages, eventually leading to the creation of a dockside industry in Britain, Europe, and America. *See* Harriet Guest, *Curiously Marked: Tattooing and Gender Difference in Eighteenth-century British Perceptions of the South Pacific* in Caplan, *supra*, at 83-101.

But while the word "tattoo" derives from the Tahitian word *tatau*, Europeans never adopted the styles of Polynesian tattooing. The motifs and imagery of European and American tattoo remained firmly Western. European and American tattoos were discreet badge-like images, resembling wallpaper or greeting cards. They memorialized specific events, asserted a person's individual life history and proclaimed values. The badge-like designs that dominated Western tattooing until the late 1960's reflected social movements, occupations, national and local ideals, and personal life histories. Many tattoos commemorate specific events like World War II or the Vietnam War. All of these tattoos were worn like emblems, each one marking a specific life experience or aspect of identity.

In the 19th century and for much of the early 20th century, tattooing was an itinerant, marginal, self-taught practice and sailors, soldiers, and sideshow performers were the customers. Tattooists worked with portable kits, setting them up in the entertainment areas of cities, at sideshow amusements, and in ports and harbors.

With the invention of the electric tattoo machine by Samuel O'Reilly in 1890s and the development of urban amusement parks and circuses, American tattoo artists at the

turn of the century began to set up permanent shops, at first in the Bowery in New York and then in Coney Island; elsewhere tattoo parlors sprang up near navel and military bases. Tattooists produced conventional graphic designs, called "flash", which they hung in the windows and on the walls of their tiny shops to attract customers. They also drew custom patterns to suit a client's desires. Sailors might want their achievements and travels marked on their bodies in the form of 'across the equator' or 'round the world' images; sideshow performers had a penchant for religious imagery; patriotic tattoos were popular during the World Wars; images of love and loyalty — girlfriends' names and 'mom' and 'dad' — were staples for young men. And because Western sailors had at first encountered tattooing on their travels in the Pacific in the 18th century, tattoo designs have also reflected the interaction between East and West, although more by using images representing Asia than by adopting designs deriving from Pacific cultures.

The artwork associated with tattoos included not only the tattoos themselves, but also the drawings, known as "flash" that artists created, or simply bought and copied, to do their work. While not all "flash" can be considered original art, these works on paper are increasingly important as historical documents that reveal the history of popular culture. They are evidence of the way in which individuals related to the events of their times. However, some "flash" is identified with particularly accomplished tattoo artists and can bring high prices in galleries and at auctions.

Since the 1960's, artists with formal art training and an interest in the art of other cultures became interested in using the body as a medium for creating art. They apprenticed with traditional tattooists, exchanged information (and tattoos), traveled widely to study tattooing traditions, and periodically experimented with new techniques and materials. Rather than using "flash" and the repetitive designs this method implies,

these artists often show their work in portfolios with photographs of work they have completed. They tend to work in studios rather than storefront tattoo parlors, charging by the hour rather than by the "piece." Instead of outlining images in black and filling in blocks of color, they use a great variety of color and shading and do very fine work. Different artists have developed singular styles and people familiar with contemporary tattoo can often recognize the artist when they see a tattoo. Most importantly, these artists take into account the uniqueness of the medium — that is, the shape of the body — and personalize the tattoo. Often these tattoos are very large, take many sessions, and develop in a long collaborative relationship between client and artist.

These tattoo artists looked to Japan, Polynesia, and even to the history of Western painting for inspiration. They began to create large-scale full body tattoos taking into account the life histories and motivations of the client and the form of the body. Today these artists blend what they have learned from Asian cultures with the earlier Euro-American tattoo traditions. These tattoos are quite different from the earlier badge-like designs. They are unique one-of-a-kind art works and become known through the photographs taken by professional photographers like William DeMichele, Richard Todd, and Chris Rainier who specialize in photographing tattoo. Tattoo photography is another sub-field that depends on the recognition of tattoo as art. Some tattoo artists, trained in the fine arts, also sell their works on paper to clients who prefer the medium of paper rather than, or in addition to, getting a tattoo.

Tattoo artists use a variety of professional training manuals and guides today. Not only are most tattoo artists highly conversant with the various laws and regulations of the states in which they work, they also use sources such as Andrew John Lemes' *The Complete Handbook of Tattooing Techniques for the Artist* (1980). Trade associations,

conventions, and websites allow artists and clients to share their knowledge of each others' work. Apprenticeships are still the means by which artists learn the techniques of tattooing, but many practitioners now have formal art training that influences the kinds of work they do and the clientele they attract. Describing the state of the field a decade ago, the late Arnold Rubin noted that:

> As would be expected, given the nature of the medium — i.e. the requirement of an unmediated translation between artist and client — independent entrepreurship continues. This pattern appears to be accompanied, however, by increased stability, professionalism, and the use of media for self-promotion. Artists are regularly approached for large-scale projects by persons with few or no previous tattoos and who return for additional work. Major demographic shifts have brought in a greater number of females and generally older, better educated, more affluent, and more artistically sophisticated clients.

See Marks of Civilization: Artistic Transformations of the Human Body 235 (A. Rubin ed. 1988) (citing Don Ed Hardy, *The Upsetter,* 1 TATTOOTIME 26 (1982) and L. Crawford, *The Tattoo of Life,* SOHO WEEKLY NEWS (Aug. 8, 1974))

As tattooing has become more and more widespread, reaching into new segments of the population, avant-garde tattoo artists have had an important influence on the older-style practitioners. The new work has also revitalized interest in the various styles and practices of historic (e.g. Celtic) and non-Western cultures. Through increasing communication at conventions and exhibitions it has also even influenced artists in non-Western cultures, especially in the Pacific, who are reviving some of the older traditions. *See* Nicholas Thomas, *Skin Deep: A History of Tattooing* (2002).

The artists who entered tattooing after having formal art training in other media tended to have more education and were highly receptive to new techniques of practicing tattooing, including sterilization, scientific research into pigments, and art historical and anthropological research into the history of images and tattoo traditions.

When artists with formal art training began to expand their work to include tattoo, they worked at the intersection of popular culture and art. But the boundaries of "high" and "low" art have become more and more permeable since the 1960's. This is reflected in museum exhibitions of "outsider art" and art in new media like graffiti, advertising, fashion, and film. Art historian Marcia Tucker put it this way:

> Tattooing is finally, once again, coming into its own as another aspect of the fine arts. A new form of populism is emerging in the arts, a sense that artists no longer wish to address themselves and their work exclusively to each other and to a small, informed audience. Rather there is an increasing desire to work outside of traditional media, to address a non-art public, and to situate the work itself in a context larger than previously thought possible. Cited in *Pierced Hearts and True Love: A Century of Drawings for Tattoos* 85 (M. DeMello ed. 1996).

Today it is difficult to find tattoo practitioners, even those without formal art training, who are not influenced by the exhibitions, scholarly treatises, and conferences that consider tattoo as an art form. This dates back to the 1960's. In 1966, for example, Don Ed Hardy, who had an advanced Fine Arts degree, was asked to speak at the San Francisco Art Institute on tattoo as an American art form and its relationship to Pop

Art. *See* Rubin, *supra*, at 242. He has subsequently lectured at The Art Institute of Chicago, The Drawing Center, and at many other museums and universities. Other tattoo artists, like Hank Schiffmacher of Amsterdam, or Lyle Tuttle from San Francisco, also lecture to students and museum audiences.

The American Museum of Natural History held a symposium attended by about 300 people featuring tattoo artists in 1999 in conjunction with its exhibition *Body Art: Marks of Identity.* On Saturday April 29, 2000 the Victoria and Albert Museum staged its first "Day of Record" a series of events cataloging applied and decorative arts in relation to the body. Over 1500 tattooed people visited the museum on that day to have their artwork photographed for inclusion in the Museum's digital archive of tattoos. *See* ***http://www.vam.ac.uk***.

> Although tattooing is one of the oldest forms of decorative art, it is only in the last decade that it has come to be appreciated and valued for its design content, rather than for its ethnographic or sub-cultural impact. Responding to the current popularity of and interest in tattoos the V&A [Victoria and Albert Museum] has made a move towards recording the importance of tattooing in Britain at the beginning of the new century.

See Press Release, Victoria & Albert Museum, April 2000. The Day of Record was a series of events cataloguing applied and decorative arts in relation to the body. Over 1500 tattooed people visited the Museum on that day to have their artworks photographed for inclusion in the V&A digital archive of tattoos.

Important tattoo artists who fall into the *avant-garde*, include Phil Sparrow (Samuel M. Steward), Sailor Jerry (Norman Keith), Bert Grimm, Tom Yeomans, Zeke Owens, Lyle Tuttle, Cliff Raven, Ed Hardy, and Spider Webb (Joseph Patrick O'Sullivan). *See id. at* 233- 262. Some of these artists eventually devoted all of their time to tattooing, but others continued to work in other media. Many had varied art careers before entering tattooing. Sparrow, for example, "had been a member of Gertrude Stein's [literary] circle in Paris and had taught English literature at Loyola University in Chicago before abandoning the academic life to become a tattooist." *See* Rubin at 243. A second wave of artists working in the 1970's included Bob Roberts, the late Jamie Summers, and Jack Rudy. *See id.* at 253. *See also* Margo DeMello, *Bodies of Inscription: A Cultural History of the Modern Tattoo Community* (2000). At the same time, as more and more women were getting tattooed, female tattoo artists, many with formal art training, began to enter the field. In addition to Summers, they included Shiela May, Vyvyn Lazonga, Ruth Marten, Mary Jane Haake, the later SuzAnne Fauser, Jacci Gresham and Pat Sinatra. Since then, many more people, some of who trained with these artists, have entered the field and are now practicing all over the United States (except South Carolina and Oklahoma) and in Europe. While Rubin located the "renaissance" of tattooing in California, due partly to the fact that it was banned in many other states during the 1960's and 1970's, Chicago and New York also became early centers for tattoo artists. *See* Michael McCabe, *New York City Tattoo: The Oral History of an Urban Art* (1997).

The clients of these artists tended to be people associated with the entertainment, especially music, industries reflecting the fact that music, like tattoo, was a particularly important vehicle for communicating the anti-establishment sentiments of the period.

IV. NEW AMERICAN STYLES OF TATTOOING HAVE BEEN EMBRACED BY A WIDE VARIETY OF AMERICANS.

Art historian Marcia Tucker has identified the predominant style of tattooing in the United States as the "international folk style". *See* Marcia Tucker, *Tattoo: The State of the Art*, 19 ARTFORUM 42, 44 (1981). "It is characterized by agglomerate designs, often executed by many different tattooists on a single client, resulting in a 'collection' of conflicting styles, sizes and images." *See id.* at 44. These designs, sometimes drawn freehand and sometimes done with stencils, are applied without regard to the particular form of the body. The tattooists who work in this style are usually trained through apprenticeship, work in the entertainment zones of large urban centers, and drew, until the 1960's, on a mainly male clientele.

In the late 1960's a major shift in imagery and new types of customers developed with the Vietnam War and the resurgence of the Women's Movement. Those who identified themselves with various 'counter-cultures' —bikers, hippies, rock and roll performers, and women's liberationists — adopted tattoos as signs of both freedom from and rebellion against mainstream social values.

Today an increasing number of business, professional and middle-class people in general are getting tattoos. At the same time many of the styles and cultural expressions of 1960's and 1970's counter-culture have become mainstream. The entry of tattooing into the mainstream accelerated in the 1980's and 1990's and a wide variety of new styles in 'flash' and custom work are now available to an increasingly diverse and growing clientele. This includes women of all ages, athletes, fashion figures, musicians, firefighters, police, stockbrokers, lawyers, and academics. WGBH in Boston is

working on a documentary that includes a section on women meeting to get tattoos in the equivalent of Tupper Ware parties. Reflecting the increasing globalization of culture, and its heterogeneous clientele, contemporary tattoo design offers an eclectic mix of images from cultures across the world.

V. TATTOOING IS WIDELY RECOGNIZED AS A FORM OF VISUAL COMMUNICATION

The traditional badge-like tattoos, while still common, co-exist with many different kinds of images, including copies of paintings by famous Western artists, from Botticelli to Picasso to Miro; full body tattoos inspired by Japanese myths, geometric black tattoos derived from Polynesia, or images based on popular culture, including rock music and pop art. Religious tattoos, for example, images of the Virgin of Guadalupe, are common in the Latino and Hispanic communities, while some tattoo artists specialize in Christian iconography. Portraits of famous people are common, as well as portraits of loved ones, pets, landscapes, and important events. Recently, firefighters and police in New York have been getting memorial tattoos relating to the bombing of the World Trade Center affirming not only their loss but also their common identity as a community. For example, the firefighters in certain engine companies in New York are receiving identical tattoos. Relatives of the deceased are among first-time tattoo clients receiving memorial tattoos honoring particular victims of the attack. These kinds of tattoos can be considered a kind memorial art. Like monuments, gravestones, portraits and memorial quilts, they honor the deceased and express the sentiments of the living.

People who get tattoos have a great variety of motivations and reasons. Some do it to assert particular identities, including ethnic and religious identities. Others say they do it as a way of "gaining control" of their own bodies, or

flaunting convention, or asserting their freedom. Tattoos are a form of visual communication and as such they can carry many kinds of messages, from the most personal to the most political. Many people regard tattoos as intrinsically beautiful, but for others the messages expressed in the imagery are most important. For some, the act of getting tattooed and the interaction with the artist is most important.

People with tattoos often refer to them as "collections" of artwork. They also refer to specific tattoos by the names of the artists who created them. Tattoo artists, like other artists, are valued for the quality of their work and they can charge different amounts of money depending on their reputations.

VI. MAJOR MUSEUM EXHIBITIONS CONSIDER TATTOO AS ART AND AS PART OF EXPRESSIVE CULTURE

In the past twenty-five years, major history, science, and art museums have put on exhibitions and associated lecture series and programs on the subject of tattoo. *See* Appendix B and Hoag Levine, *The Changing Status of Tattoo Art* (1998). Tattoo Art has also become the subject of major scholarly symposia. *See* Appendix C. Natural history museums have dealt with the subject from an historical and cross-cultural point of view. Tattoo, like music, painting, sculpture, drama, and dance, is part of expressive culture and embodies both the values and the aesthetic standards of particular societies. Natural history museum exhibits, reflecting scholarship in the discipline, have dealt with both Western and non-Western tattoo, making explicit the cultural meanings expressed in this medium of expression. History museums have dealt with the changing meanings and practices of tattoo over time, both in the West — including Europe and North America — and elsewhere. Art museums

have focused on tattooing as an ancient art form that is increasingly accepted as an important medium for artwork. Given the consensual collaboration between tattoo artist and client, the skin becomes the canvas and the tattooed person becomes simultaneously the owner and collector of the tattoo, and the work of art itself.

It is noteworthy that a number of major museums have now begun to collect tattoo art, including photographs of tattoos, flash, and tattoo equipment and advertising. These institutions include the Victoria and Albert Museum in London, England, the National Museum of American History (Smithsonian Institution), the Fowler Museum of Cultural History (UCLA), the Southstreet Seaport Museum in New York and many others.

Perhaps the largest exhibition ever devoted to tattoo and other forms of body art was the 1999-2000 exhibit *Body Art: Marks of Identity* at The American Museum of Natural History in New York City, curated by the author of this brief. The Museum, opened in 1869, is the second largest natural history museum in the U.S.A. and receives nearly five million visitors annually. The exhibition, which received widespread press coverage, deliberately juxtaposed body art practices, including tattoo, from many cultures past and present. It focused not only on non-Western "exotic" cultures, but also the contemporary U.S.A., reflecting a trend in anthropology in general. The premise of the exhibition was that body art fulfills similar needs in all human cultures. While the specific aesthetic vocabulary of body art varies from place to place, the reasons that humans all over the world continue to use body art derive from its power as a way of communicating social identity and situating the individual in a social context.

CONCLUSION

For the foregoing reasons, the amicus respectfully submits that tattooing is a form of artistic expression that is fully protected under the First Amendment. It is an expressive art that is as ancient as the human capacity to communicate through words and visual symbols. The use of the human body as a canvas is art and employs a visual vocabulary that relates closely to the values and aesthetic ideas of people in particular cultures. Tattoos have many personal meanings to the individuals who wear them, and are also powerful ways of communicating identity, status, personal life histories, and social values. While tattoo is a visual art, it is also a kind of performance art like dance, music and theatre in that it is presented through living people. In the United States, tattooing has moved from an expression solely of protest and sub-cultural identity to a major art form recognized by museums, scholars, and major segments of the population. Artists with training in other media have taken up tattoo and greatly elevated the aesthetic and technical standards of the profession. Tattoos express both the creative and technical abilities of the artist as well as the expressive intentions of their clients. It is respectfully urged that the Court grant petitioner's request for a Writ of Certiorari.

Respectfully submitted,

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